

In The Court Of Appeal Of The State Of California 40
Sixth Appellate District
San Jose, California

MONDAY, MARCH 6, 2000

H019146 MC CURDY, et al. v. NETWORK FINANCIAL SERVICES, INC., et al.

The judgment of dismissal is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed March 6, 2000

H018609 PEOPLE v. DAVIS

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed March 6, 2000

H019425 EVERGREEN CITIZENS COALITION v. CITY OF SAN JOSE; SIKH
GURDWARA-SAN JOSE

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed March 6, 2000

TUESDAY, MARCH 7, 2000

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Premo, Acting
P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Jane F.
Varize, Deputy Clerk.

H018452 PEOPLE v. GUTIERREZ

Cause called and argued by Richard Doctoroff appearing for
appellant and by Matthew Boyle, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H020026 PEOPLE v. CHRISTIAN G., A Minor

Cause called and argued by Douglas C. Kane appearing for
appellant and by Thomas A. Brady, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

H018675 PEOPLE v. CHAVEZ

Cause called and argued by Solomon Wollack appearing for
appellant and by Karl S. Mayer, Deputy Attorney General,
appearing for respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 41
Sixth Appellate District
San Jose, California

Tuesday, March 7, 2000 (continued)

H018754 PEOPLE v. CASILLAS

Cause called and argued by Norton Tooby appearing for appellant and by Thomas A. Brady, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019446 PEOPLE v. CLECAK

Cause called and argued by Donald R. Tickle appearing for appellant and by Thomas A. Brady, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019654 GORE v. GORE

Cause called and argued by Annalisa C. Wood appearing for appellant and by Elizabeth Goodley appearing for respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

H019792 DAVID LEE, et al. v CITY OF LOS ALTOS; WILLIAM PARKHURST, et al.

The judgment is affirmed. The stay issued May 10, 1999, is lifted. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed March 7, 2000

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.
Present: Premo, Acting P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Judy Son, Deputy Clerk.

H018587 PEOPLE v. LYNCH

Cause called and argued by Alan Yockelson appearing for appellant and by Jeffrey M. Bryant, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019383 PEOPLE v. MORIARTY

Cause called and argued by Michael Thorman appearing for appellant and by Gregory A. Ott, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 42
Sixth Appellate District
San Jose, California

Tuesday, March 7, 2000 (continued)

H020231 PEOPLE v. JEFFREY H.

Cause called and argued by Alexandra D'Italia appearing for appellant and by Richard Rochman, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019442 PORRAS v. TORRES

Cause called and argued by Carlos Porras, Appellant, appearing in Propria Persona, and by Michael C. McClure appearing for respondent. Cause ordered submitted. Court is adjourned.

H018231 PEOPLE v. PHAM

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed March 7, 2000

H020240 BUTLER v. SUPERIOR COURT OF SANTA CRUZ COUNTY

H020554 CHEEK v. SUPERIOR COURT OF SANTA CRUZ COUNTY

Butler v. Superior Court, H020240: Let a peremptory writ issue commanding the superior court to vacate its ruling that there was probable cause to believe that Butler is likely to engage in sexually violent predatory criminal behavior upon his release and enter a new ruling dismissing the petition for commitment.

Cheek v. Superior Court, H020554: Let a peremptory writ issue commanding the superior court to vacate its ruling that there was probable cause to believe that Cheek is likely to engage in sexually violent predatory criminal behavior upon his release and enter a new ruling dismissing the petition for commitment. (published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed March 7, 2000

In The Court Of Appeal Of The State Of California 43
Sixth Appellate District
San Jose, California

Tuesday, March 7, 2000 (continued)

H019824 PEOPLE v. JAMIE MARIE T.

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed March 7, 2000

WEDNESDAY, MARCH 8, 2000

H019062 PEOPLE v MARKEY

By the Court*:

Appellant's petition for rehearing is denied.
Dated: March 8, 2000
*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and
Mihara, J.

THURSDAY, MARCH 9, 2000

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Cottle, P.
J.; Elia, J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk.

H019497 IN RE MARIAH M.; D.F.C.S. v LEIGH G.

Cause called. Appellant Leigh G., in pro per, did not
appear. Michael Clark, Deputy County Counsel, appeared for
respondent and Robert Masterson, Deputy District Attorney,
appeared for respondent minor. Counsel agreed to submission
without argument. Cause ordered submitted.

Cottle, P.J. and Elia, J. leave the bench. Bamattre Manoukian, J.
and Wunderlich, J. take the bench.

H019221 PEOPLE v RODRIGUEZ

Cause called and argued by Christopher Hite appearing for
appellant and by Amy Haddix, Deputy Attorney General, appearing
for respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 44
Sixth Appellate District
San Jose, California

Thursday, March 9, 2000 (continued)

H019809 IN RE ROBERT S., A Minor

Cause called and argued by Phillip Johnson appearing for appellant and by Amy Haddix, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H019304 BAILEY v SANTA CLARA SUPERIOR COURT; THE PEOPLE

Cause called and argued by James M. Chadwick, Jr. appearing for petitioner and by Raymond Cardozo, Deputy Attorney General, appearing for real parties in interest. Cause ordered submitted.

H019504 GRIFFIN v KAISER FOUNDATION HEALTH PLAN

Cause called and argued by Maryanne Z. Murphy appearing for appellant and by Kennedy Richardson appearing for respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California.
Present: Premo, Acting P. J.; Bamattre-Manoukian, J.; Wunderlich, J.; and Jane F. Varize, Deputy Clerk.

H020464 D.F.C.S. v. RICHARD O., et al.

Cause called and argued by Lawren Cottles appearing for appellant, Teri L. Robinson, Deputy County Counsel, appearing for respondent and Robert J. Masterson, Deputy District Attorney, appearing for minor. Cause ordered submitted.

H019070 DAMASCUS v. BOARD OF DENTAL EXAMINERS

Cause called and argued by Alexander Damascus appearing in pro per and by Adam Miller, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 45
Sixth Appellate District
San Jose, California

Thursday, March 9, 2000 (continued)

H018625 STONELIGHT TILE, INC., et al. v. DIVERSIFIED RECYCLING SERVICES, et al.

Cause called and argued by Judith E. Gordon appearing for appellants and by William Delaney appearing for respondents and D. Anson appearing in propria persona. Cause ordered submitted.

H019541 PENNOYER v. ROHAN

Cause called and argued by John E. Boessenecker appearing for appellant and by Donald J. Dowling appearing for respondent. Cause ordered submitted.

H019501 MOORE, et al. v. BERLIN, et al.

Cause called and argued by Demosthenes A. Lorandos appearing for appellants and by Jeffrey R. Kurtz appearing for respondents. Cause ordered submitted. Court is adjourned.

H018869 PEOPLE v. LOPEZ

The judgment is affirmed. (not published)
(Premo, J.; We concur: Cottle, P.J., Elia, J.)
Filed March 9, 2000

H019707 D.F.C.S. v. SHIRLEY B.

The order appealed from is affirmed. (not published)
(Elia, J.; We concur: Cottle, P.J., Premo, J.)
Filed March 9, 2000

H019084 DVP TECHDOC, INC v. DAVID FRADIN, et al.

The order is affirmed. Manley's request for sanctions is denied. Manley shall recover costs on appeal. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)
Filed March 9, 2000

In The Court Of Appeal Of The State Of California 46
Sixth Appellate District
San Jose, California

FRIDAY, MARCH 10, 2000

H015636 PEOPLE v. BROWN

The judgment is modified to provide: (1) the sentence on count 5 for kidnapping for rape is stayed with the stay to become permanent upon completion of the sentence on counts 1 through 4; and (2) the stay on the sentence for one of the Penal Code section 667.8 enhancements is dissolved, with a three-year sentence imposed, for a total term imposed of 71 years and 4 months in state prison. As so modified, the judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed March 10, 2000

H019994 SANTA CLARA COUNTY DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES v. SHIRLEY B., et al.

The order is affirmed. (not published)

(Elia, J.; We concur: Cottle, P.J., Mihara, J.)

Filed March 10, 2000

H018031 PEOPLE v. CLEVELAND

By the Court*:

Appellant's petition for rehearing is denied.

Dated: March 10, 2000

*Before Bamattre-Manoukian, Acting P.J., Wunderlich, J. and Mihara, J.

H019363 CASTELLANOS v. COASTAL PROVIDERS OF SAN LUIS OBISPO

The judgment is affirmed. (published)

(Premo, J.; We concur: Cottle, P.J., Elia, J.)

Filed March 10, 2000